

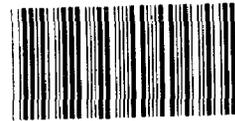
GAO

Briefing Report to Congressional Requesters

July 1987

HAZARDOUS WASTE

Siting of Storage Facility at Kelly Air Force Base, Texas



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United States  
General Accounting Office  
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National Security and  
International Affairs Division

B-213706

July 31, 1987

The Honorable Albert G. Bustamante  
House of Representatives

The Honorable Mike Synar, Chairman  
Subcommittee on Environment,  
Energy and Natural Resources  
Committee on Government Operations  
House of Representatives

In June 1987, you requested us to provide information on a hazardous waste storage facility at Kelly Air Force Base. Specifically, you asked whether

- the storage facility meets Resource Conservation and Recovery Act (RCRA), state, and Air Force siting requirements;
- the Air Force or the Defense Reutilization and Marketing Office (DRMO) selected the best site available to protect the public and to preserve good public relations with the community;
- the Air Force, Kelly Air Force Base, or the Defense Logistics Agency adjusted siting standards as a result of the adverse publicity the hazardous waste facility has generated; and
- Kelly Air Force Base is revising its hazardous waste management organization so that it is similar to the organizations at Tinker and McClellan Air Force Bases.

This briefing report summarizes the material presented to you during our briefing on June 12, 1987, as well as responses to questions you subsequently raised.

#### BACKGROUND

The hazardous waste storage facility at Kelly Air Force Base is operated by DRMO, a branch of the Defense Logistics Agency's Defense Reutilization and Marketing Service. It is used for the temporary storage of Department of Defense

hazardous waste. The facility receives hazardous and toxic wastes, such as spent cleaning solvents, preservatives, and paints, from a number of military installations in the San Antonio area, including Kelly, Randolph, and Brooks Air Force Bases and the Army's Fort Sam Houston. The facility is storing approximately 1,500 drums, or 82,500 gallons of hazardous waste. Wastes are typically stored for about 3 months prior to being reutilized within the Department of Defense, transferred to other federal agencies, donated to authorized recipients, sold for reuse or recycling, or shipped to a disposal site. Currently only one building is being used for hazardous waste storage, including reactive and ignitable wastes.

The site for the hazardous waste storage building was selected in 1982 and constructed during 1984 and early 1985. In 1985 DRMO applied for a final operating permit for the hazardous waste storage building. When local residents, through the public notification of the permit application were made aware that hazardous waste was being stored at Kelly, they reacted adversely. In March 1986, DRMO received permission from the Texas Water Commission to use the building for storing hazardous waste on an interim basis because the Commission indicated that the new building provided a more satisfactory containment area than the existing storage area. Public hearings to collect information for consideration in the final issuance of the permit were held in April and July 1987, and the final permit is now under consideration by the Commission. According to the Commission's Hearing Examiner, a final decision on the permit is not expected for 4 to 5 months.

WERE FACILITY SITING REQUIREMENTS MET?

According to the Environmental Protection Agency's Region VI and Texas Water Commission permit officials and the DRMO and the Defense Reutilization and Marketing Service environmental officials, the storage building currently in use at Kelly complies with federal, state, and Department of Defense siting standards because it is not located in a flood plain or geologic fault area or above the recharge zone of a sole source aquifer. In addition, the building is located at least 50 feet from the base property line--a requirement for facilities storing ignitable or reactive wastes.

In addition to these specific siting requirements, RCRA contains an overriding consideration that actions taken under its authority, such as the permitting of a hazardous waste storage facility, should protect public health and the

environment. The Texas Water Commission is reviewing the request for a final operating permit, which was requested by DRMO<sup>1</sup> in May 1985. According to the Assistant Director of the Commission's Legal Division, the issue of whether or not the storage of hazardous waste in this building would adversely affect public health or the environment will be decided when the Commission approves or denies the permit request.

WAS THE BEST SITE SELECTED TO PROTECT THE  
PUBLIC AND PRESERVE GOOD PUBLIC RELATIONS?

We are unable to determine if the best site for the facility was selected to protect the public health because no environmental assessment was prepared at the time different sites were being considered for the storage facility. A Department of Defense site selection committee selected the location of the building. The site was one of five alternative locations on Kelly Air Force Base.

Alternative locations

During June 1982, San Antonio Air Logistics Center, Kelly Air Force Base, Defense Reutilization and Marketing Service, and DRMO officials reviewed possible locations for a building to store hazardous waste for DRMO operations. In June 1982, a Defense Reutilization Marketing Service trip report summarized the results of the selection process and concluded that of the five potentially available sites, site number 2--an unimproved open storage area designated lot number 13--was the best site for the hazardous waste storage building. This site was selected, and table 1 outlines the rationale for rejecting the other four sites.

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<sup>1</sup>DRMO is the operator of the facility. The Defense Reutilization and Marketing Service is the applicant for the operating permit.

Table 1: Reasons for Rejecting Potential Sites

<u>Site number</u>	<u>Name</u>	<u>Reason for rejection</u>
1	Building 3065	Located in the center of the DRMO complex and as a result there was heavy traffic by buyers, visitors, and DRMO personnel.
3	Building 3752	Located close to a public street and adjacent to an on-base ball diamond.
4	Building 3060	Base administrative functions programmed to relocate to the building.
5	Shed 513	Located several miles from the DRMO and base maintenance planned to use it for other purposes.

In November 1982, prior to construction of the facility, a draft environmental assessment was prepared for the site selected pursuant to requirements set forth in the National Environmental Policy Act. The Air Force Logistics Command provided comments on the draft environmental assessment in February 1983. The Command cautioned that it was important to carefully develop the alternatives section of the environmental assessment because of the proximity of a residential area to the selected site and the public's sensitivity to hazardous waste storage. In the final environmental assessment, the alternatives section simply restated the findings and conclusion set out in the Defense Reutilization and Marketing Service's 1982 trip report.

The final June 1983 environmental assessment stated that the proposed storage facility would not pose a threat to the human environment, and a finding of "no significant impact" was subsequently prepared. As a result of this finding, an environmental impact statement was not required. No discussion of the public's sensitivity to the storage area was included in the final environmental assessment.

DRMO followed established procedures<sup>2</sup> for obtaining public comments on the environmental assessment and the finding of "no significant impact." The public was provided with an opportunity to comment on the environmental assessment and the finding through the local council of governments, and comments were received from the San Antonio River Authority and the Edwards Underground Water District. The San Antonio River Authority commented that the facility would be an improvement in hazardous waste storage operations at Kelly. The Edwards Underground Water District expressed concern over the transportation of hazardous waste to the facility. It did not, however, express concern over the proposed siting of the facility. Comments were not received from the City of San Antonio.

Because of the lack of negative comments, construction began in March 1984, and interim approval to use the building was obtained from the Texas Water Commission in 1986. It was not until the Commission notified nearby residents of the final operating permit application in late 1985 that the neighborhood was made aware that hazardous waste was being stored at Kelly. This notification was followed by Commission hearings during April and July 1987. Currently, the Commission is completing its review of the permit application, and a ruling is expected within the next 4 to 5 months. The review will include consideration and analysis of evidence presented during the hearings. Should the public disagree with the Commission's ruling, concerned parties can file for a rehearing and ultimately appeal the case in a Texas state court.

#### HAVE SITING STANDARDS BEEN ADJUSTED?

DRMO, Kelly Air Force Base, and San Antonio Air Logistics Center officials stated that they are not revising siting standards as a result of the adverse publicity the hazardous waste building has generated. Neither are they revising procedures providing for public involvement or participation in such a siting decision because procedures are already in place that provide for public notification of and

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<sup>2</sup>Federal procedures require notification to a regional organization of any actions that will be taken that may have local or regional impact. In San Antonio the local council of governments serves as this regional organization. It is comprised of representatives of about 90 local government agencies representing 12 counties in and around San Antonio.

participation in such matters through the local council of governments.

Air Force Logistics Command officials also told us that they see no need to revise the siting criteria for hazardous waste storage facilities or to change their approach to community relations. The Command's Director of Environmental Management stated that, in selecting hazardous waste sites, it uses the same environmental impact analysis process and RCRA regulations used by the DRMO in the Kelly siting decision. It relies heavily on the Environmental Protection Agency's guidance and on state criteria in making siting decisions and places paramount importance on the protection of human health and the environment. The Director further stated that all five Air Logistics Centers enjoy excellent relations with their surrounding communities.

The Defense Reutilization and Marketing Service has not made any official policy changes requiring a better approach to community relations and early public involvement in siting hazardous waste storage facilities. A Defense Reutilization and Marketing Service official informed us that procedural changes in the community relations aspects have been an evolving process as experience and knowledge is gained on individual projects.

HAS HAZARDOUS WASTE  
MANAGEMENT BEEN REORGANIZED?

In March 1986 the Air Force Logistics Command directed all Air Logistic Centers to establish environmental management offices. The purpose of this directive was to provide a single point of contact to deal with environmental compliance issues. This directive also instructed the Sacramento Air Logistics Center (McClellan Air Force Base) to test its existing Directorate of Environmental Management structure for 1 year to determine if the other four Air Logistics Centers should also use the same organizational concept. The test is not scheduled to be completed for several months.

The differences we identified between San Antonio's management organization and the organizations at Sacramento and Oklahoma City Air Logistics Centers are the organizational titles and the number of assigned staff. According to the Chief of the San Antonio Environmental Management Office, the San Antonio Air Logistics Center established its organization at the office level because it

has fewer staff positions (15) than either the Oklahoma City (32) or the Sacramento (51) Air Logistics Centers.

The San Antonio Air Logistics Center (Kelly Air Force Base) established an environmental management office in accordance with the Air Force Logistics Command directive. The Oklahoma City Air Logistics Center (Tinker Air Force Base) established a Directorate of Environmental Management patterned after Sacramento's organization. While San Antonio Air Logistics Center established its environmental management organization at the office level and the other two Centers established their organizations at the directorate level, they all report directly to their respective commanders.

The Superfund Amendments and Reauthorization Act of 1986 (Public Law 99-499) requires that the Secretary of Defense, whenever possible and practical, establish technical review committees at Department of Defense installations. This committee would review and comment on Department actions and proposed actions concerning the management of hazardous substances at installations. The three Air Logistics Centers have established technical review committees within their environmental management organizations. The 1986 amendments also require that these technical review committees include at least one representative from the Department of Defense, the Environmental Protection Agency, appropriate state and local authorities, and a public representative of the community involved.

Although the Department of Defense did not specifically direct bases to include these representatives on their technical review committees, it did issue a policy memorandum instructing bases to comply with the 1986 amendments. The San Antonio Air Logistics Center's technical review committee includes federal and state representatives but does not include representatives from local authorities or the community involved, as required by the 1986 Amendments. The Chief of the San Antonio Air Logistics Center's Environmental Management Office stated that he has not received any directive to include local representatives. Both the Sacramento and Oklahoma City Air Logistics Centers' technical review committees include all required representatives.

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The objective, scope, and methodology of our review are discussed in appendix I.

As requested, we did not ask the Department of Defense to officially comment on a draft of this briefing report. However, we discussed the issues in this briefing report with knowledgeable officials. As arranged with your offices, unless you publicly announce its contents earlier, we plan no further distribution of this briefing report until 30 days from the date of issuance. At that time, we will send copies to interested parties and make copies available to others upon request.

Should you have any questions, please call me on 275-4262.

A handwritten signature in cursive script, reading "Harry R. Finley".

Harry R. Finley  
Senior Associate Director

## OBJECTIVE, SCOPE, AND METHODOLOGY

The objective of this review was to evaluate the siting and other information concerning the hazardous waste storage facility at Kelly Air Force Base. We also obtained information on hazardous waste management organizations at the San Antonio, Oklahoma City, and Sacramento Air Logistics Centers.

To determine if the facility met applicable siting requirements, we met with officials at the San Antonio Air Logistics Center's Environmental Management Office and the Defense Reutilization and Marketing Office located on Kelly Air Force Base to obtain information on applicable Department of Defense siting regulations and opinions as to whether or not the facility met all necessary requirements. Information on applicable federal and state siting regulations was obtained from officials at the Texas Water Commission's Region 8, its Legal and Permits Sections; and the Environmental Protection Agency's Region VI Permits Section in the Hazardous Waste Compliance Branch.

To assess whether the best site was selected to protect the public and to preserve good relations with the community, we reviewed documentation on site selection as well as public notification. In addition, we discussed site selection and public notification with representatives of Kelly Air Force Base, the San Antonio Air Logistics Center's Environmental Management Office, the DRMO, the Defense Reutilization and Marketing Region, the Alamo Area Council of Governments, the City of San Antonio, the Texas Water Commission's Hearings Examiner, and a local organization representing the nearby community--Communities Organized for Public Service.

The issue of whether or not siting standards have been or will be revised as a result of adverse public reaction to the East Kelly Air Force Base facility was discussed with representatives of the San Antonio Air Logistics Center, the Air Logistics Command, Defense Reutilization and Marketing Service, Defense Reutilization and Marketing Region, and the DRMO.

To determine if the San Antonio Air Logistics Center has revised its management structure, as recommended by the Air Force Logistics Command, we obtained documentation on the reorganization and discussed the reorganization with officials of the Center's Environmental Office. We also discussed Oklahoma City's and Sacramento's Air Logistics Centers' hazardous waste management organizations with the Directors of those facilities' Environmental Management Directorates to determine if the San

Our work was performed during June and July 1987 in accordance with generally accepted government auditing standards.

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